

establish and maintain a branch asylum or home for the care, treatment and support of white idiots and imbeciles of this State, and to make an appropriation therefor."

ADJOURNMENT.

Senator Davidson of DeWitt moved that the Senate adjourn until 10 o'clock a. m. tomorrow.

Senator Wilson moved that the Senate adjourn until 11 o'clock a. m. tomorrow.

Action being on the longest time first, the motion to adjourn until 11 o'clock a. m. tomorrow was lost.

Action being on the motion to adjourn until 10 o'clock a. m. tomorrow, the same prevailed, and the Senate, at 4:50 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

THIRTY-SEVENTH DAY.

Senate Chamber,
Austin, Tex., Friday, March 13, 1903.

Senate met pursuant to adjournment.

Lieutenant Governor Geo. D. Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Davidson of	Mills.
Galveston.	Morris.
Decker.	Patteson.
Faubion.	Paulus.
Faulk.	Perkins.
Grinnan.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.

Absent.

Douglass.	Hale.
Faust.	

ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.
W. E. DeLamar.
R. M. Gilmore.
Amos Wynne.
W. M. Cobb.
Eldred McKinnon.
Mrs. Laura V. Grinnan.
F. P. Smith.
Miss Lucy Lane.
C. H. Allen.
D. F. Hughes.

Frank Mullins.
C. J. Kirk.
Rev. I. S. Davenport.
Miss May Fant Odom.
J. C. Son.
Miss Georgie Sturgess.
Mrs. Hattie Yarbrough.
Mrs. Hope H. Hawkins.
Miss Emily Holcomb.
Mrs. J. R. Van Orden.
Miss Bessie Goldstein.
W. T. Pace.
W. A. Shaw, Jr.
Lucien Goss.
Miss L. Stanley.
Herbert Davenport.
Charlie Lane.
Willie Gibson.
Henry Paulus.
Evetts Thornhill.
Walter Savage.
James Sebastian.
Willie Gray.
Jamie Snipes.
Ed Underhill.
Will Bartley.
Reed Pearson.
Dan Edwards.
Josh Pyles.
Ellis Monroe.
Albert Hill.
Mark Marsh.
Jos. Hill.

Prayer by the Rev. Dr. Philips, of Ennis.

Pending the reading of the Journal of yesterday,

On motion of Senator Mills, the same was dispensed with.

EXCUSED.

On motion of Senator Henderson, Senator Faubion was excused for non-attendance upon the Senate on Wednesday on account of urgent business.

On motion of Senator Mills, Senator Douglass was excused from attendance upon the Senate for today on account of sickness.

COMMITTEE REPORTS.

The following committee reports were offered:

STOCK AND STOCK RAISING.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Stock and Stock Raising, to whom was referred

House bill No. 20, A bill to be entitled "An Act to amend Chapter 7, Title CII,

of the Revised Statutes of the State of Texas, 1895, so as to add thereto Articles 5043n, 5043p and 5043g, to make penal the act of knowingly stopping live stock that have crossed the quarantine line after inspection, etc., and to make appropriation for the maintenance of said quarantine line,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

HILL, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: We, a minority of your Committee on Stock and Stock Raising, to whom was referred

House bill No. 20, A bill to be entitled "An Act to amend Chapter 7, Title CII, of the Revised Statutes of the State of Texas, 1895, so as to add thereto Articles 5043n, 5043p and 5043g, to make penal the act of knowingly stopping live stock that have crossed the quarantine line after inspection, etc., and to make appropriation for the maintenance of said quarantine line,"

Do not concur in the report of the majority, and beg leave to recommend that it *do not* pass.

WILLACY,
DECKER,
HILL.

STATE AFFAIRS.

Committee Room,
Austin, Texas, March 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

House bill No. 142, A bill to be entitled "An Act to extend the time of payment of the State and county taxes for the year 1902, in the counties of Milam, Caldwell and Colorado, until October 1, 1903,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

McKAMY, Chairman.

Committee Room,
Austin, Texas, March 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 119, A bill to be entitled "An Act to provide for the appointment

of a State Dairy and Food Commissioner, and to define his powers and duties, and fix his compensation and to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of drugs and articles of food,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do not* pass.

McKAMY, Chairman.

FREE CONFERENCE COMMITTEE REPORT.

Committee Room,
Austin, Texas, March 12, 1903.

Hon. Geo. D. Neal, President of the Senate, and Hon. Pat M. Neff, Speaker of the House of Representatives.

SIRS: Your Free Conference Committee, to whom was referred

House bill No. 392, A bill to be entitled "An Act to provide a charter for the city of Houston, Harris county, Texas, repealing all laws or parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and report it back with the information that your Free Conference Committee has failed to agree.

LIPSCOMB,
STAFFORD,
FAUBION,
HANGER,
MILLS,

On part of the Senate.

HOSKINS,
STANDIFER,
COBBS,
RAGLAND,

On part of the House.

FINANCE.

Committee Room,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 260, A bill to be entitled "An Act to provide for the establishment of State depositories, and to prescribe their duties and liabilities,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

WILSON, Chairman.

Committee Room,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 219, A bill to be entitled "An Act to provide by statute for the salary and compensation of the employes of the General Land Office of the State of Texas for the fiscal year beginning September 1, 1903, and each year thereafter,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

WILSON, Chairman.

INSURANCE, STATISTICS AND HISTORY.

Committee Room,
Austin, Texas, March 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 44, A bill to be entitled "An Act for the relief of James J. Jones,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be referred to the Committee on Public Debts, Claims and Accounts.

DAVIDSON of DeWitt, Chairman.

Committee Room,
Austin, Texas, March 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 270, A bill to be entitled "An Act defining unlawful insurance business, and fixing the punishment for persons engaged therein or connected therewith, and providing for examination by the Insurance Commissioner of the business of insurance companies, associations or societies,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

DAVIDSON of DeWitt, Chairman.

Committee Room,
Austin, Texas, March 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 289, A bill to be entitled "An Act making it unlawful for any fire, fire and marine, marine, tornado, rent, accident, casualty, liability, health, elevator, disability, plate glass, steam boiler, burglary, bonding, title, surety or

fidelity insurance company which is legally licensed to transact insurance business in this State to place any contract or policy of insurance on any property or persons in this State except through legally authorized and licensed agents, resident in this State; to prohibit said resident agents so licensed from paying commissions or brokerage on business written to non-residents of the State of Texas not licensed; to further prescribe conditions to be complied with by said insurance companies before authorizing it to transact business in this State; to empower the Commissioner of Insurance to investigate violations of these requirements, and to provide penalties for enforcing the provisions of this act, and to increase the public revenue, and to repeal Chapter 135 of the General Laws of the Twenty-fifth Legislature of the State of Texas,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

DAVIDSON of DeWitt, Chairman.

Committee Room,
Austin, Texas, March 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 54, A bill to be entitled "An Act to amend Title LVIII, Revised Civil Statutes, relating to the subject of insurance, by adding thereto Chapter 5, embracing Articles 3096aa, 3096bb, 3096cc, 3096dd, 3096ee and 3096eee, providing that no insurance contract shall be held void because of immaterial misrepresentations made in the application therefor, or in the contract of insurance; and providing conditions upon which a defense may be made upon the ground of misrepresentation in the application, or in the contract, or in proof of death or loss; and making such contracts subject to the laws of this State; and prescribing conditions upon which foreign insurance corporations shall be permitted to do business in this State,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

DAVIDSON of DeWitt, Chairman.

JUDICIAL DISTRICTS.

Committee Room,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

House bill No. 406, A bill to be entitled "An Act to create the Sixty-third Judicial District of the State of Texas, to be composed of the counties of Jeff Davis, Presidio, Brewster, Pecos, Val Verde, Kinney and Maverick, and to prescribe the time of holding terms of the district court in said district, and to transfer the district attorney of the Forty-second Judicial District to said new district, and to provide for the appointment of a time of holding court therein; to provide for a district attorney for said Forty-first and Thirty-fourth Judicial Districts; to provide for a clerk of the district court of the Forty-first Judicial District, and to empower the district court of the Thirty-fourth Judicial District to empanel a grand jury for El Paso county, and giving authority to the judges of either of said two courts in El Paso county to transfer cases from their respective courts to the other said courts; to validate all writs and other process heretofore issued out of the district court of said Forty-first and Thirty-fourth Judicial Districts, and to repeal all laws and parts of laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass, and that it be not printed.

BEATY, Chairman.

ENGROSSED BILLS.

Committee Room,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 293, A bill to be entitled "An Act making appropriations for deficiencies in the appropriations heretofore made for the support of the State government from March 1, 1900, to August 31, 1903, being for claims registered in the Comptroller's office in accordance with law, and for outstanding claims not registered and for other deficiencies, and to make additional appropriations for the support of the State government for year ending August 31, 1903,"

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 170, A bill to be entitled "An Act to authorize the First Office Assistant of the Attorney General to discharge the duties that are devolved by law upon the Attorney General in the absence of or inability to act of the Attorney General,"

And find the same correctly engrossed.
PATTESON, Chairman.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following:

Senate bill No. 161, A bill to be entitled "An Act to authorize the Chicago, Rock Island & Gulf Railway Company to purchase, own and operate, as part of its line, the railroad of the Chicago, Rock Island & Texas Railway Company, together with all its franchises, property, rights and privileges; the railroad of the Chicago, Rock Island & Mexico Railway Company, together with all its franchises, property, rights and privileges, and the railroad of the Choctaw, Oklahoma & Texas Railroad Company, together with all its franchises, property, rights and privileges, or either or any of such railroads, with all of its or their franchises, property, rights and privileges of every kind and character; and to authorize the owners of each of said railroads and the franchises, property, rights and privileges of every kind and character, to sell and convey the same; and to authorize said, the Chicago, Rock Island & Gulf Railway Company to issue and negotiate its bonds, secured or to be secured by a mortgage or mortgages, to the amount of the value of the railways, franchises, property, rights and privileges so purchased, and to the amount of the value of any railroad hereafter constructed by it under the provisions of this act, as fixed, or as same may be fixed, by the Railroad Commission of Texas, and to regulate the reports of said property, and the operation thereof; and to authorize said, the Chicago, Rock Island & Gulf Railway Company to construct, own and operate, as a part or parts of its line the unfinished portion or portions of said railroads, or either of them, between the termini, as defined in their respective charters; and to construct, own and operate as a part of parts of its line all extensions and branches of said railroads, or either of them, under or as au-

thorized in and by the charter of said the Chicago, Rock Island & Gulf Railway Company, or any amendment thereof, made or to be made in pursuance of the General Laws of the State of Texas; and to prescribe the conditions upon which said purchase and sales shall take effect and be dependent; and to authorize said companies, and each of them, to execute all necessary contracts, agreements and conveyances to accomplish said purchase and sales."

Senate bill No. 184, A bill to be entitled "An Act to amend Article 386c, Chapter 18, Title I, Revised Civil Statutes of Texas, 1895, relating to validating certain incorporated cities and towns, and declaring an emergency."

The House concurs in Senate amendments to House bill No. 127 and Substitute House bill No. 11.

The House has adopted the Free Conference Committee report to House bill No. 392 and discharged the committee, and asks for a new Free Conference Committee.

Senate bill No. 65, A bill to be entitled "An Act to repeal Subdivision 1, of Article 5049, Chapter 18, Title CIV, of the Acts of the First Called Session of the Twenty-fifth Legislature, that imposes an annual occupation tax on merchants," with the following amendments:

"Amend by adding after the word 'repealed,' line 24, page 1, the following: 'That so much of Subdivision 13, of Article 5049, Chapter 18, Title CIV, of the Acts of the First Called Session of the Twenty-fifth Legislature, that imposes an occupation tax on dentists be and the same is hereby repealed.'"

"Add at the end of line 24: 'And that so much of Section 12 of said article as imposes an occupation tax on persons practicing law be and the same is hereby repealed.'"

"Amend by adding the following after the word 'merchants,' in line 23: 'And persons and bankers engaged in discounting paper and buying and selling county and city warrants.'"

Senate bill No. 79, A bill to be entitled "An Act to amend Article 3698, of Chapter 6, Title LXXIX, by fixing the minimum salaries of penitentiary guards of the State penitentiaries of Texas," with the following amendment:

"Amend by striking out on page 1, lines 15, 16 and 17, the words 'penitentiary guards shall receive such compensation for their services as the penitentiary board may prescribe,' and insert in lieu thereof the following: 'Under-officers and employes shall receive such com-

pensation for their services as the penitentiary board may prescribe, to be paid in such manner as may be prescribed by the board; provided, the penitentiary guards may receive such compensation for their services as may be prescribed by said board.'"

Respectfully,

MARK LOGAN,
Acting Chief Clerk, House of Representatives.

BILLS AND RESOLUTIONS.

Senator Morris offered the following resolution:

Honoring the dead—saint, patriot, or sage—has at all times in the world's history marked the highest type of civilization, and we, the American people, are strongly characterized by the spontaneous tributes ever paid to our illustrious dead.

J. G. McDonald is dead; had attained a ripe old age; won high rank in the Confederate army; was a friend of the fathers of Texas.

There has been a wide interest for a month or two past in the illness which many feared would extinguish the life of one of the earliest settlers of Grimes county and a man whom, in the pioneer days of grand old Texas, did no little in helping to distinguish the State. That man was Gen. J. G. McDonald, Sr., of Anderson. His long and eventful life came to a close at 11:45 o'clock on the 11th day of March, at the home of Col. and Mrs. W. W. Meachum. All Texas is bowed in sorrow and sympathize with the family.

Deceased was for many years district attorney of the district lying between the Brazos and Sabine rivers. He was an able lawyer and a powerful debator; a democrat whose sword was ever drawn in defense of his party, and it was a blade which foes stayed as clear of as possible. He was intimately acquainted with many of the famous men Texas has produced in the past—Houston, Rusk, Austin, and a score of others. His stories and reminiscences were of the most entertaining character, binding closely as it did the present with the past. During the Civil War General McDonald became a brigadier general of militia.

He served several terms as a member of the lower house of the Legislature, and also several terms as a member of the Senate; in all capacities a strong and conservative legislator.

Deceased was born near Carthage, Tenn., seventy-nine years ago. He studied the profession of law at Lebanon, in that State, and made himself

thoroughly proficient. He was united in marriage with a Miss Davis, and came to Texas in the year 1852, locating at Anderson, or near there; since that time making that community his home; therefore, be it

Resolved, By the Twenty-eighth Sen-

ate of Texas, that a page of its Journal be set aside and inscribed; and be it further

Resolved, That a copy of this preamble and resolution be forwarded to the family of the deceased.

Unanimously adopted.



To the

Memory

of

J. G. McDonald

Born Seventy-nine Years Ago

Died on March Eleventh, A. D. 1903



By Senator Faubion:

Senate bill No. 294, A bill to be entitled "An Act to fix and limit the fees of the justices of peace of the State of Texas in civil and misdemeanor cases."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Davidson of DeWitt:

Senate bill No. 295, A bill to be entitled "An Act to amend Article 1465 of the General Laws, of 1895, relating to the appointment of receivers by judges of courts of competent jurisdiction, so that Article 1465 shall hereafter read as follows."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Brachfield:

Senate bill No. 296, A bill to be entitled "An Act to amend Article 5065 of the Revised Civil Statutes, so as to exempt the property of charitable institutions from taxation."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Decker:

Senate bill No. 297, A bill to be entitled "An Act to change and prescribe the time for holding district court in this State; to conform all writs and processes from such courts to such change, and to repeal all laws in conflict herewith."

Read first time, and referred to Committee on Judicial Districts.

Morning call concluded.

RESOLUTIONS SIGNED.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read:

House Concurrent Resolution No. 11, Granting leave of absence to Hon. L. W. Moore, judge of the Twenty-sixth Judicial District.

House Concurrent Resolution No. 20, Endorsing Hon. J. D. Sayers for the position of a commissioner on the Isthmian Canal Commission, and commending his appointment to the President of the United States for that position.

SENATE BILL NO. 66.

On motion of Senator Decker, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 66.

The Chair laid before the Senate, on its second reading,

Senate bill No. 66, A bill to be entitled "An Act to amend Article 812 of the Revised Civil Statutes, of 1895, relating to removal of county seats, and the manner of calling for the removal of county seats."

Senator Morris offered the following amendment:

"Amend on line 17, page 1, by adding after the word 'freeholder,' the words 'and qualified voter.'"

The amendment was read, and adopted.

Senator Morris offered the following amendment:

"Amend on line 25, page 1, by adding after the word 'freeholders,' the words 'and qualified voters.'"

The amendment was read, and adopted.

Senator Morris offered the following amendment:

"Amend on line 32, page 1, by adding after the word 'freeholder,' 'and qualified voter.'"

The amendment was read, and adopted.

Senator Morris offered the following amendment:

"Amend on line 30, page 1, by adding the words 'and qualified voters,' after the word 'freeholders.'"

The amendment was read, and adopted.

SIMPLE RESOLUTIONS.

(By unanimous consent.)

Senator Savage offered the following resolution:

Resolved, By the Senate, that Jim Hill be paid out of the contingent expense fund the sum of \$28 for fourteen days work done as porter of the Senate, from February 13 to March 13, 1903.

The resolution was read second time, and adopted.

Senator Faubion offered the following resolution:

Resolved, By the Senate of the State of Texas, Twenty-eighth Legislature, that the Sergeant-at-Arms of the Senate is hereby instructed and required to place on the desk of each Senator a copy of each and every bill or resolution ordered printed, as soon as received from the hands of the printer.

The resolution was read second time, and

On motion of Senator Davidson of DeWitt was tabled by the following vote:

Yeas—22.

Beaty.	Hicks.
Brachfield.	Hill.
Davidson of	Martin.
DeWitt.	Morris.
Davidson of	Patteson.
Galveston.	Paulus.
Decker.	Perkins.
Grinnan.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.

Nays—5.

Cain.
Faubion.
Faulk.

Lipscomb.
Mills.

Absent.

Faust.
Hale.

McKamy.

Absent—Excused.

Douglass.

SENATE BILL NO. 66.

Action recurring on Senate bill No. 66, Senator Morris offered the following amendment:

"Amend on page 2, line 1, after the word 'freeholder,' the words 'and qualified voters.'"

The amendment was read, and adopted.

Bill was read second time, and ordered engrossed.

On motion of Senator Decker, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Brachfield.

Hicks.

Cain.

Hill.

Davidson of

Lipscomb.

DeWitt.

Martin.

Davidson of

Mills.

Galveston.

Morris.

Decker.

Patteson.

Faubion.

Paulus.

Faulk.

Perkins.

Grinnan.

Savage.

Hanger.

Sebastian.

Harbison.

Stafford.

Harper.

Willacy.

Henderson.

Wilson.

Absent.

Beaty.

Hale.

Faust.

McKamy.

Absent—Excused.

Douglass.

The bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.

Harper.

Cain.

Henderson.

Davidson of

Hicks.

DeWitt.

Hill.

Davidson of

Lipscomb.

Galveston.

Martin.

Decker.

Mills.

Faubion.

Morris.

Faulk.

Patteson.

Grinnan.

Paulus.

Hanger.

Perkins.

Harbison.

Savage.

Sebastian.
Stafford.

Willacy.
Wilson.

Absent.

Beaty.
Faust.

Hale.
McKamy.

Absent—Excused.

Douglass.

Senator Decker moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

RESOLUTION SIGNED.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read:

Senate Concurrent Resolution No. 10, Authorizing and instructing the Land Commissioner to withhold school and asylum lands from sale until pending legislation, regulating the manner of filing applications to purchase, is consummated.

SENATE BILL NO. 56—HOUSE
AMENDMENTS CON-
CURRED IN.

Senator Davidson of Galveston called up

Senate bill No. 56, A bill to be entitled "An Act to provide for and regulate the granting of license to practice as attorney and counselor at law in all the courts of the State of Texas, and to repeal all laws and parts of laws in conflict therewith,"

For the purpose of concurring in the following House amendments:

"Amend by striking out Section 7 and inserting in lieu thereof the following:

"Section 7. All persons shall be subject to this act, whether or not they hold a diploma from the law department of the State University, and all laws in conflict herewith are hereby repealed."

"Amend line 7, page 3, of printed bill, by striking out the word 'sixty-five' and insert the word 'seventy-five.'"

"Amend by striking out the emergency clause."

Senator Davidson of Galveston moved that the Senate concur in the amendments.

The motion prevailed.

Senator Davidson of Galveston moved to reconsider the vote by which the amendments were adopted, and lay that motion on the table.

The motion to table prevailed.

PRIVILEGED COMMITTEE REPORT.

Joint Committee Room,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate, and Hon. Pat M. Neff, Speaker of the House of Representatives.

SIRS: The undersigned Committee on Rules, of your respective bodies, having met in joint session for the purpose of considering and preparing Joint Rules of the two houses, beg leave to report as follows:

We recommend the adoption by the two houses of the Joint Rules of the Twenty-seventh Legislature, without change or amendment, as the Joint Rules of this Legislature.

Respectfully submitted,

STAFFORD,
HANGER,
DECKER,
DAVIDSON of Galveston,
DAVIDSON of DeWitt,

On part of the Senate.

SHANNON,
SEABURY,
GREEN,
ROBERTSON of Williamson,
MORAN,

On part of the House.

HOUSE CONCURRENT RESOLUTION
NO. 6.

On motion of Senator Hanger, pending order of business (Senate bill No. 158) was suspended, and the Senate took up House Concurrent Resolution No. 6.

The Chair laid before the Senate House Concurrent Resolution No. 6, Providing for the printing of legislative manuals.

The resolution was read, and adopted. Senator Hanger moved to reconsider the vote by which the resolution was passed, and lay that motion on the table.

The motion to table prevailed.

SUBSTITUTE SENATE BILL NO. 95.

On motion of Senator Harper, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Substitute Senate bill No. 95.

Senator Harper moved to adopt the committee substitute.

The motion prevailed.

The Chair laid before the Senate, on its second reading,

Senate bill No. 95, A bill to be entitled "An Act requiring the disinfection of railway coaches, sleeping cars, street cars and public conveyances, and providing a penalty for the violation thereof."

Senator Harper offered the following amendment:

"Amend lines 18, 24 and 26, page 1, and lines 1 and 2, page 2, by striking out the words 'street cars and street car company,' wherever they occur."

The amendment was read, and adopted. Senator Harper offered the following amendment:

"Amend lines 19 and 25, after the word 'public conveyances,' by adding the words 'and all public buildings.'"

The amendment was adopted.

Bill was read second time, and ordered engrossed.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Beaty.	Hill.
Brachfield.	Lipscomb.
Cain.	Martin.
Davidson of	Mills.
DeWitt.	Morris.
Decker.	Patteson.
Faubion.	Paulus.
Faulk.	Perkins.
Grinnan.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.
Hicks.	

Absent.

Davidson of	Hale.
Galveston.	McKamy.
Faust.	

Absent—Excused.

Douglass.

Senator Harper offered the following amendment:

"Amend line 12, page 2, printed bill, by inserting 'all public buildings' after word 'conveyances.'"

The amendment was read, and adopted by the following vote:

Yeas—24.

Brachfield.	Lipscomb.
Cain.	Martin.
Davidson of	Mills.
Galveston.	Morris.
Decker.	Patteson.
Faubion.	Paulus.
Faulk.	Perkins.
Grinnan.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Hicks.	Wilson.
Hill.	

Nays—2.

Beaty.	Henderson.
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Absent.

Davidson of Hale.
DeWitt. McKamy.

Faust.

Absent—Excused.

Douglass.

The bill was read third time, and passed by the following vote:

Yeas—25.

Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Grinnan.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Harper.	Stafford.
Henderson.	Willacy.
Hicks.	Wilson.

Nays—1.

Beaty.

Absent.

Davidson of Hale.
Galveston. McKamy.

Faust.

Absent—Excused.

Douglass.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 425—PASSAGE OF.

On motion of Senator Paulus, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, House bill No. 425.

The Chair laid before the Senate, on its third reading,

House bill No. 425, A bill to be entitled "An Act to amend Sections 30, 35 and 40, of Chapter 49, of the Acts of the Twenty-seventh Legislature of the State of Texas, creating a more efficient road system for Fayette, Uvalde and Frio counties."

The bill was read third time, and passed.

FREE CONFERENCE COMMITTEE APPOINTED.

Senator Lipscomb called up Free Conference Committee report on House bill No. 392, by which the committee failed to agree on, and asked that another committee be appointed.

The Chair appointed Senators Decker, Hill, Morris, Patteson and Savage, on the committee on part of the Senate.

HOUSE BILL NO. 317.

On motion of Senator Stafford, the pending business (Senate bill No. 158), was suspended, and the Senate took up out of its order House bill No. 317.

The Chair laid before the Senate, on its second reading,

House bill No. 317, A bill to be entitled "An Act to amend the special road law of Van Zandt county, Texas, as enacted by the Twenty-seventh Legislature, and sent to the Governor for his approval on the 8th day of April, 1901, and to authorize and empower the commissioners court of said county to issue bonds for the permanent improvement of the public roads of said county."

Bill read second time, and passed to a third reading.

On motion of Senator Stafford, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Grinnan.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Harper.	Stafford.
Henderson.	Wilson.

Absent.

Davidson of Hale.
DeWitt. McKamy.
Faust. Willacy.

Absent—Excused.

Douglass.

The bill was read third time, and passed by the following vote:

Yeas—25.

Beaty.	Henderson.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Martin.
DeWitt.	Mills.
Davidson of	Morris.
Galveston.	Patteson.
Decker.	Paulus.
Faubion.	Perkins.
Faulk.	Savage.
Grinnan.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.
Harper.	

Absent.

Faust. McKamy.
Hale. Willacy.
Lipscomb.

Absent—Excused.

Douglass.

Senator Stafford moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House appoints as a Free Conference Committee on part of the House to adjust the differences between the House and Senate of Senate bill No. 21, Messrs. Hudspeth, Bryan, Crawford of Young, Ware and Schluter.

And also as a Free Conference Committee on part of the House to adjust the difference between the House and Senate on House bill No. 392, Messrs. Griggs, Robertson of Bell, Seabury and Murray of Burleson.

Respectfully,

MARK LOGAN,

Acting Chief Clerk, House of Representatives.

PETITION.

By unanimous consent, Senator Savage offered the following petition:

Montague, Texas, March 10, 1903.

To the Hon. Geo. W. Savage, Senator, and Hon. J. T. Rowland, Member of the House of Representatives, Twenty-eighth Session of the Texas Legislature.

SIRS: Believing that the local option laws as they now exist are unfair and not in accord with the spirit of justice which should prevail in this State, we, your undersigned constituents, respectfully ask that you support such a measure as will give to "pro" and "anti" alike, equal rights under the law.

D. M. Smith.
W. A. Morris.
Z. Gano.
E. Gano.
E. A. Hart.
Levi Walker.
C. R. Titsworth.
B. G. Pace.
J. W. Bridgers.
J. J. Fox.
M. F. Sherrill.
G. M. Ross.

G. W. Bright.
Frank Ulbig.
L. A. Clark.
N. F. Sparks.
H. N. Morehead.
P. C. Waters.
Sam Parsons.
W. M. Hundley.
A. Lowrie.
W. H. Green.
A. R. Clark.
I. E. Linn.
R. G. Ryals.
W. P. Harkney.
W. J. Campbell.
W. J. Ryan.
J. W. Stewart.
J. W. Cook.
Amos Patterson.
James W. Adams,
R. Whitecotton.
P. B. Bennett.
F. M. Roberts.
J. W. Bell.
D. E. Rainer.
C. M. Lander.
D. F. Bennett.
J. K. P. Ridling.
H. W. Hunt.
J. S. Hedsbeth.
H. T. Luffin.
C. W. Sterling.
J. C. Hutcheson.
J. W. Cunningham.
Jno. Carlile.
R. D. Rugely, Jr.
T. R. Bennett.
F. W. Strong.
J. W. Ivey.
W. L. Bassett.
W. S. Roe.
Jess Pollard.
J. A. Greer.
L. J. Cowan.
Joe Green.
J. N. Cook.
Lee Carel.
H. C. Masterson.
F. Ruiners.
J. C. Clark.
L. A. Mitchell.
Wm. Hussey.
H. Gronow.
J. C. Bryant.
D. R. Curry.
J. B. Greear.
W. E. McBride.
A. A. Greear.
L. N. Wise.

PRIVILEGED COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled

Bills have carefully examined and compared

Senate bill No. 24, "An Act to amend Article 1316, Chapter 12, Title XXIX of the Revised Civil Statutes of Texas, relating to charges and instructions to juries,"

And find the same correctly enrolled, and have this day, at 11:50 o'clock a. m., presented the same to the Governor for his approval.

BEATY, Acting Chairman.

Committee Room,

Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 4, "An Act to create, establish and maintain a branch asylum or home for the care, treatment and support of idiots and imbeciles of this State, and to make an appropriation therefor,"

And find the same correctly enrolled, and have this day, at 11:50 o'clock a. m., presented the same to the Governor for his approval.

BEATY, Acting Chairman.

Committee Room,

Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate Concurrent Resolution No. 10, authorizing and instructing the Land Commissioner to withhold school and asylum lands from sale until pending legislation regulating the manner of filing applications to purchase is consummated.

And find the same correctly enrolled, and have this day, at 11:50 o'clock a. m., presented the same to the Governor for his approval.

BEATY, Acting Chairman.

Committee Room,

Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 61, "An Act to amend Title IX, Chapter 2, Article 173 of the Revised Civil Statutes of the State of Texas by adding thereto article 173a, providing for the employment of a secretary or bookkeeper for the Confederate Home, and fixing the compensation.

And find the same correctly enrolled,

and have this day, at 11:50 o'clock a. m., presented the same to the Governor for his approval.

BEATY, Acting Chairman.

SENATE BILL NO. 61.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read:

Senate bill No. 61, "An Act to amend Title IX, Chapter 2, Article 173, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 173a."

SENATE BILL NO. 47.

On motion of Senator Hill, the pending order of business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 47.

The Chair laid before the Senate, on its second reading,

Senate bill No. 47, A bill to be entitled "An Act to prescribe a period of limitation within which any person claiming the right to purchase or lease public free school, State, university or asylum lands heretofore sold or leased to others, shall bring his suit therefor."

(President Pro Tem. Davidson of De Witt in the Chair.)

Senator Hill moved that the majority committee report be adopted, and

Senator Grinnan moved as a substitute that the minority report be adopted in lieu thereof.

On this motion Senator Perkins moved the previous question, which being duly seconded was ordered.

The minority report was then adopted by the following vote:

Yeas—15.

Brachfield.	Henderson.
Cain.	Martin.
Davidson of	McKamy.
DeWitt.	Morris.
Faubion.	Patteson.
Grinnan.	Perkins.
Harbison.	Savage.
Harper.	Sebastian.

Nays—12.

Beaty.	Lipscomb.
Davidson of	Mills.
Galveston.	Paulus.
Faulk.	Stafford.
Hanger.	Willacy.
Hicks.	Wilson.
Hill.	

Absent.

Decker.	Hale.
Faust.	

Absent—Excused.

Douglass.

Senator Grinnan moved to reconsider the vote by which the substitute committee report was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE JOINT RESOLUTION NO. 8.

On motion of Senator Perkins, the pending order of business (Senate bill No. 158) was suspended, and the Senate took up, Senate Joint Resolution No. 8.

The Chair laid before the Senate, on second reading,

Senate Joint Resolution No. 8, To amend Section 9, of Article 8, of the Constitution of the State of Texas so as to authorize the levy of a State tax for road and bridge purposes.

RECESS.

On motion of Senator Beaty the Senate, at 12:40 o'clock, took a recess until 3 o'clock this afternoon.

AFTER RECESS.

PENDING BUSINESS.

The Senate was called to order by President Pro Tem. Davidson of De Witt. Action on Senate Joint Resolution No. 8 was resumed.

Senator Perkins moved that the committee report be adopted.

The motion prevailed.

Senator Savage offered the following amendment:

Strike out the words "Be it resolved by the Legislature of the State of Texas."

Senator Patteson moved that further action on the resolution and amendment be postponed until Tuesday morning.

Senator Mills moved to table the motion.

The motion to table the motion to postpone until Tuesday morning was lost by the following vote:

Yeas—10.

Beaty.	Henderson.
Cain.	Hill.
Davidson of	Mills.
DeWitt.	Savage.
Hanger	Willacy.
Harbison.	

Nays—14.

Decker.	Martin.
Faubion.	McKamy.
Faulk.	Morris.
Grinnan.	Patteson.
Harper.	Paulus.
Hicks.	Perkins.
Lipscomb.	Wilson.

Absent.

Brachfield.	Hale.
Davidson of	Sebastian.
Galveston.	Stafford.

Faust.

Absent—Excused.

Douglass.

The motion to postpone until Tuesday morning was then adopted.

(Lieutenant Governor Neal in the Chair.)

BILLS SIGNED.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

Senate bill No. 33, "An Act to amend Articles 402, 403, 404, 405, 406 and 407, of Chapter 6, Title XI, Penal Code, and add thereto Article 407a relating to unlawfully selling any intoxicating liquor."

Senate bill No. 8, "An Act to amend Section 1, Chapter 128, of an Act passed by the Twenty-sixth Legislature of the State of Texas, and sent to the Governor for his approval on the 20th day of May, A. D. 1899, and entitled 'An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties, or in any subdivision of said counties, viz.: Cooke, Bell, Ellis, Montague, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Guadalupe, Dallas, Austin, Brazos, Lavaca, Colorado, Washington, Williamson, Smith, Delta,' so as to place McLennan, Limestone, Coryell, Kaufman, Raines, Bastrop, Bee, Camp, Caldwell, Colorado, Calhoun, Cass, Comanche, Erath, Hill, Harrison, Hopkins, Jackson, Bosque, Montgomery, Morris, Upshur, Parker, Rusk, Red River, Titus, Trinity, Victoria, Van Zandt, Wise, Walker, Wood, Wilson, Comal, Nueces, Bexar, Eastland, Cherokee and Travis counties under the provisions of said chapter, and to declare an emergency."

Senate bill No. 184, "An Act to amend Article 386c, Chapter 18, Title I, Revised Civil Statutes of Texas, 1895, relating to validating certain incorporated cities and towns, and declaring an emergency."

SENATE BILL NO. 193.

On motion of Senator Harbison, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 193.

The Chair laid before the Senate, on its third reading,

Senate bill No. 193, A bill to be entitled "An Act to amend Article 3385, Title LXIX, of the Revised Civil Statutes of

the State of Texas, of 1895, so as to except from the operation of said article, merchants doing a wholesale drug business who sell alcoholic stimulants to retail merchants whose regular and principal business is selling drugs and medicines and compounding prescriptions, and declaring an emergency."

The bill was read third time, and passed by the following vote:

Yeas—15.

Beaty.	Hill.
Davidson of	Lipscomb.
DeWitt.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Hanger.	Paulus.
Harbison.	Savage.
Hicks.	Wilson.

Nays—9.

Brachfield.	Henderson.
Cain.	Martin.
Faulk.	Patteson.
Grinnan.	Perkins.
Harper.	

Absent.

Davidson of	Sebastian.
Galveston.	Stafford.
Faust.	Willacy.
Hale.	

Absent—Excused.

Douglass.

Senator Harbison moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has adopted the report of the Joint Committee on Rules.

Substitute House Joint Resolution Nos. 2 and 5, To amend Section 16, Article 16, of the Constitution of the State of Texas, providing for the incorporation of corporate bodies with banking and discounting privileges; prescribe the liability of shareholders in the same; provide for the regulation of such corporate bodies, and prohibiting foreign corporations with such powers to do business in this State; and providing for the submission of such proposed constitutional amendment as required by law, with engrossed rider:

"Amend by adding after the word 'cash,' in line 11, on page 4, the following: 'Such body corporate shall not be

authorized to engage in business at more than one place, which shall be designated in its charter.'"

Respectfully,

MARK LOGAN,
Acting Chief Clerk, House of Representatives.

SENATE BILL NO. 157.

On motion of Senator Davidson of DeWitt, the special order of business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 157.

The Chair laid before the Senate, on its second reading,

Senate bill No. 157, A bill to be entitled "An Act to amend Article 745 of the Revised Civil Statutes of the State of Texas, requiring foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon said corporations transacting business in this State, and authorizing the Secretary of State to issue permits to such corporations, as amended by Chapter 119, Acts of the Twenty-fifth Legislature."

Senator Davidson of DeWitt moved that the majority committee report be adopted.

Senator Hanger withdrew the minority report.

Senator Davidson of DeWitt offered the following amendment:

"Amend by inserting after the word 'incorporation,' in line 27, page 1 of the bill, the words 'and all amendments thereof.'"

The amendment was adopted.

Senator Davidson of DeWitt offered the following amendment:

"Amend by inserting after the word 'State' where it appears the second time in line 5, on page 2 of the bill, the words 'and subject to the same conditions.'"

The amendment was adopted.

Senator Davidson of DeWitt offered the following amendment:

"Amend by adding Section 2, as follows:

"Section 2. The fact that there is now no sufficient general law in force in this State regulating the terms on which foreign corporations may enter and do business in this State, and no sufficient law regulating the manner of filing their permits to do business in this State, with the Secretary of State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Senator Hicks offered the following amendment:

"Amend by inserting after the word 'place,' in line 27, page 1, the words 'or places.'"

Pending discussion on the amendment, Senator Brachfield moved that further consideration of the bill be postponed until Tuesday morning at the conclusion of the morning call.

The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 18.

On motion of Senator Hicks, the special order of business (Senate bill No. 158) was suspended, and the Senate took up House Concurrent Resolution No. 18.

The Chair laid before the Senate

House Concurrent Resolution No. 18, Relative to a certain room in the State capitol for use of the Daughters of the Confederacy.

The resolution was read, and adopted.

Senator Hicks moved to reconsider the vote by which the resolution was passed, and spread that motion on the Journal.

The motion prevailed.

SENATE BILL NO. 271.

On motion of Senator McKamy, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 271.

The Chair laid before the Senate, on its second reading,

Senate bill No. 271, A bill to be entitled "An Act to provide for the organization of trust companies."

Senator Brachfield made a point of order that the matter in this bill had been acted upon and defeated by the Senate at a former date of this session of the Legislature, known as the Harbison bill.

The Chair overruled the point of order.

Senator McKamy moved that further consideration of the bill be postponed until next Tuesday morning.

The motion prevailed.

HOUSE BILL NO. 178.

On motion of Senator Decker, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, House bill No. 178.

The Chair laid before the Senate, on its second reading,

House bill No. 178, A bill to be entitled "An Act to restore and confer upon the county court of Hartley county the civil and criminal jurisdiction heretofore belonging to the said court under the Constitution and the general laws of the State, and to conform the jurisdiction of

the district court of said county to such change, and to repeal all laws in conflict with the act."

Senator Decker offered the following amendment:

"Amend the bill by striking out all of bill after the second line of page 1 of bill and insert in lieu thereof the following: 'and confer upon the county courts of Hartley, King and Edwards counties, Texas, the civil and criminal jurisdiction heretofore belonging to the said courts under the Constitution and general laws of the State, and to conform the jurisdiction of the district courts of said counties to such change; and to repeal all laws in conflict with this act.'

"Section 1. Be it enacted by the Legislature of the State of Texas: That the county courts of Hartley, King and Edwards counties shall hereafter have exclusive original jurisdiction in civil cases where the matter in controversy shall exceed in value two hundred dollars and shall not exceed five hundred dollars exclusive of interest; and shall have concurrent jurisdiction with the district courts of said counties when the matter in controversy shall exceed five hundred dollars and not exceed one thousand dollars, exclusive of interest; but shall not have jurisdiction of suits for the recovery of land.

"Sec. 2. Said county courts shall have appellate jurisdiction in civil cases over which justice courts have original jurisdiction when the judgment of the court appealed from shall exceed twenty dollars, exclusive of costs, and said county courts shall have power to hear and determine cases brought up from the justice court by certiorari, under the provision of the title of the Revised Statutes of the State of Texas, relating thereto.

"Sec. 3. The county judge of said counties shall have authority either in term time or in vacation to grant writs of mandamus, injunction, sequestration, garnishment, attachment, certiorari, supersedeas and all other writs necessary to the enforcement of the jurisdiction of said courts, and shall have power to issue writs of habeas corpus in all cases in which the Constitution has not exclusively conferred the power on the district court or judges thereof.

"Sec. 4. Said county courts shall have jurisdiction in the forfeiture and judgment of all bonds and recognizances taken in criminal cases, of which criminal cases said courts shall have original or appellate jurisdiction.

"Sec. 5. Said county courts shall have exclusive original jurisdiction of all misdemeanors of which exclusive and

original jurisdiction is not given to the justice courts, as the same is now or may hereafter be prescribed by law, except misdemeanors involving official misconduct.

"Sec. 6. The district courts of said Hartley county, King county and Edwards county shall no longer have jurisdiction of misdemeanors, except misdemeanors involving misconduct, and shall no longer have jurisdiction of cases of which the county courts of said counties, by the provisions of this act, have original or appellate jurisdiction; and it shall be the duty of the district clerks of said counties, within ninety days after this act shall take effect, to make full and complete transcripts of all orders on the criminal and civil dockets in cases then pending before the district courts of said counties, of which cases, by the provisions of this act, original or appellate jurisdiction is given to said county courts, and to deliver said transcripts, together with the original papers and a certified copy of the bill of costs in each case to the county clerk of said county; and said county clerks shall take charge of said transcripts and papers, file the same, and enter said cases on their said respective dockets for trial by said courts.

"Sec. 7. Said county courts shall also have the power to hear and determine all motions against sheriff and other officers of said courts for failure to pay over money collected under the process of said courts or other defalcations of duty in connection with such process, and shall have power to punish by fine not exceeding \$100, and by imprisonment not exceeding three days any person guilty of contempt of said courts, and all other powers and jurisdiction conferred on county courts by the Constitution and general laws of the State.

"Sec. 8. All laws and parts of laws in conflict with this act are hereby repealed.

"Sec. 9. The crowded condition of the dockets of the district courts of Hartley, King and Edwards counties creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be and the same is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and adopted.

Bill read second time, and passed to third reading.

On motion of Senator Decker, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Brachfield.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Decker.	Mills.
Faulk.	Morris.
Grinnan.	Patteson.
Hanger.	Paulus.
Harbison.	Perkins.
Harper.	Savage.
Henderson.	Sebastian.
Hicks.	Willacy.
Hill.	Wilson.

Absent.

Beaty.	Faubion.
Cain.	Faust.
Davidson of	Hale.
Galveston.	Stafford.

Absent—Excused.

Douglass.

The bill was read third time, and passed by the following vote:

Yeas—24.

Brachfield.	Lipscomb.
Cain.	Martin.
Davidson of	McKamy.
DeWitt.	Mills.
Decker.	Morris.
Faulk.	Patteson.
Grinnan.	Paulus.
Hanger.	Perkins.
Harbison.	Savage.
Harper.	Sebastian.
Henderson.	Willacy.
Hicks.	Wilson.
Hill.	

Absent.

Beaty.	Faust.
Davidson of	Hale.
Galveston.	Stafford.
Faubion.	

Absent—Excused.

Douglass.

Senator Decker moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 198.

On motion of Senator Hill, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 198.

The Chair laid before the Senate, on its third reading,

Senate bill No. 198, A bill to be entitled "An Act to amend Article 1012, Title XXVII, Chapter 14, Revised Civil Statutes, of 1895, as amended by act approved April 17, 1899, of the Twenty-sixth Legislature, Regular Session, re-

lating to the employment of stenographers by the Courts of Civil Appeals."

The bill was read third time, and passed.

Senator Hill moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 72.

On motion of Senator Lipscomb, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 72.

The Chair laid before the Senate, on second reading,

Senate bill No. 72, A bill to be entitled "An Act to amend Chapter 11, Title XVIII, Revised Statutes, relating to towns and villages, by adding thereto Article 580a, providing for the extension of territorial limits and boundaries, and limiting the area as provided for in Article 386a, Chapter 1, Title XVIII, Revised Statutes."

Bill read second time, and ordered engrossed.

On motion of Senator Lipscomb, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Beaty.	Hill.
Brachfield.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Decker.	Mills.
Faulk.	Patteson.
Grinnan.	Paulus.
Hanger.	Savage.
Hartison.	Sebastian.
Harper.	Willacy.
Henderson.	Wilson.
Hicks.	

Absent.

Cain.	Hale.
Davidson of	Morris.
Galveston.	Perkins.
Faubion.	Stafford.
Faust.	

Absent—Excused.

Douglass.

Senator Lipscomb offered the following amendment:

"Amend the bill so as to read 'freeholders,' at the end of line 16."

The amendment was lost by the following vote:

Yeas—15.

Beaty.	Henderson.
Decker.	Hicks.
Faulk.	Hill.
Grinnan.	Lipscomb.

Martin.	Sebastian.
McKamy.	Willacy.
Mills.	Wilson.
Paulus.	

Nays—7.

Brachfield.	Harbison.
Davidson of	Harper.
DeWitt.	Patteson.
Hanger.	Savage.

Absent.

Cain.	Hale.
Davidson of	Morris.
Galveston.	Perkins.
Faubion.	Stafford.
Faust.	

Absent—Excused.

Douglass.

The bill was read third time, and passed by the following vote:

Yeas—20.

Brachfield.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Decker.	McKamy.
Faulk.	Mills.
Grinnan.	Patteson.
Hanger.	Savage.
Harbison.	Sebastian.
Harper.	Willacy.
Henderson.	Wilson.
Hicks.	

Present—Not voting.

Beaty.

Absent.

Cain.	Hale.
Davidson of	Morris.
Galveston.	Paulus.
Faubion.	Perkins.
Faust.	Stafford.

Absent—Excused.

Douglass.

Senator Lipscomb moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FOURTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 67, A bill to be entitled "An Act to amend Article 649, Chapter 2, Title XXI, of the Revised Statutes of Texas, relating to the amendments of charters, and to add Article 650a to said chapter, authorizing incorporations for

two or more purposes," with engrossed rider.

Respectfully,
MARK LOGAN,
 Acting Chief Clerk, House of Representatives.

RESOLUTION REFERRED.

The Chair had referred, after its caption had been read,

Substitute House Joint Resolution Nos. 2 and 5, To amend Section 16, Article 16, of the Constitution of the State of Texas, providing for the incorporation of corporate bodies with banking and discounting privileges; prescribe the liability of shareholders in the same; provide for the regulation of such corporate bodies, and prohibiting foreign corporations with such powers to do business in this State; and providing for the submission of such proposed constitutional amendment as required by law, with engrossed rider:

"Amend by adding after the word 'cash,' in line 11, on page 4, the following: 'Such body corporate shall not be authorized to engage in business at more than one place, which shall be designated in its charter.'"

Referred to Committee on Constitutional Amendments.

COUNTY AND COUNTY BOUNDARIES.

(By unanimous consent.)

Committee Room,
 Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on County and County Boundaries, to whom was referred

Senate Concurrent Resolution No. 11:

Whereas, By the Act of the Twenty-second Legislature, approved 1891, a new county was formed out of parts of Hardeman, Cottle and Knox counties; and,

Whereas, It was the inteneion of the Legislature to name the same in honor of Col. J. S. Ford, a distinguished soldier and statesman of this State; and,

Whereas, the name as spelled in said act was Foard, and erroneous; therefore, be it

Resolved by the Senate, the House concurring, That said county shall hereafter be known as Ford county, and named in honor of Col. Jno. S. Ford,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass, and that it be not printed.

SEBASTIAN, Chairman.

ENGROSSED BILLS.

Committee Room,
 Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 155, A bill to be entitled "An Act to confer jurisdiction upon the district court of Travis county in cases brought by the State for the purpose of forfeiting charters of private corporations organized under the laws of this State and canceling permits authorizing foreign corporations to transact business in this State, and for the purpose of restraining corporations from exercising powers not conferred upon them by the laws of this State, and for the purpose of preventing persons from engaging in business in the State of Texas contrary to the laws thereof,"

And find the same correctly engrossed.

PATTESON, Chairman.

Committee Room,
 Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 171, A bill to be entitled "An Act to prohibit any corporation or receiver operating a line of electric street railway in the State of Texas from operating electric cars upon such lines during the period beginning November 15th and ending March 15th of each year, unless the forward end of such car is equipped with a screen or vestibule to protect the motorman or other person directing the motive power by which such car is operated from wind and storm, and prescribing a penalty for the violation of this act,"

And find the same correctly engrossed.

PATTESON, Chairman.

ENROLLED BILLS.

Committee Room,
 Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 184, A bill to be entitled "An Act to amend Article 386c, Title XVIII, Chapter 1, Revised Civil Statutes of Texas, 1895, relating to validating certain incorporated cities and towns, and declaring an emergency,"

And find the same correctly enrolled, and have this day, at 5:05 o'clock p. m., presented the same to the Governor for his approval.

BEATY, Acting Chairman.

Committee Room,
Austin, Texas, March 12, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 8, A bill to be entitled "An Act to amend Section 1, Chapter 128, of an act passed by the Twenty-sixth Legislature of the State of Texas, and sent to the Governor for his approval on the 20th day of May, A. D. 1899, and entitled 'An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties, or in any subdivision of said counties, viz.: Cooke, Bell, Ellis, Montague, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Guadalupe, Dallas, Austin, Brazos, Lavaca, Colorado, Washington, Williamson, Smith, Delta, so as to place McLennan, San Patricio, Limestone, Coryell, Kaufman, Rains, Bastrop, Bee, Camp, Caldwell, Colorado, Calhoun, Cass, Comanche, Erath, Hill, Harrison, Hopkins, Jackson, Bosque, Montgomery, Morris, Upshur, Parker, Rusk, Red River, Titus, Trinity, Victoria, Van Zandt, Wise, Walker, Wood, Wilson, Comal, Nueces, Bexar, Eastland, Cherokee and Travis counties under the provisions of said chapter, and to declare an emergency,"

And find the same correctly enrolled, and have this day, at 4:45 o'clock p. m., presented the same to the Governor for his approval.

BEATY, Acting Chairman.

Committee Room,
Austin, Texas, March 13, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 33, A bill to be entitled "An Act to amend Articles 402, 403, 404, 405, 406 and 407, of Chapter 6, Title XI, Penal Code, and add thereto Article 407a, relating to unlawfully selling any intoxicating liquor,"

And find the same correctly enrolled, and have this day, at 4:45 o'clock p. m., presented the same to the Governor for his approval.

BEATY, Acting Chairman.

SENATE BILL NO. 207.

On motion of Senator Davidson of DeWitt, the pending order of business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 207.

The Chair laid before the Senate, on its second reading,

Senate bill No. 207, A bill to be entitled "An Act to regulate and define the fees of sheriffs in district courts of the State of Texas for summoning special venires."

Bill read second time, and ordered engrossed.

On motion of Senator Davidson of DeWitt, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Decker.	Mills.
Faulk.	Patteson.
Grinnan.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Harper.	Willacy.
Henderson.	

Absent.

Davidson of	Morris.
Galveston.	Paulus.
Faubion.	Stafford.
Faust.	Wilson.
Hale.	

Absent—Excused.

Douglass.

The bill was read third time, and passed by the following vote:

Yeas—15.

Beaty.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Decker.	Mills.
Faulk.	Paulus.
Grinnan.	Sebastian.
Hanger.	Willacy.
Hicks.	Wilson.

Nays—9.

Brachfield.	McKamy.
Cain.	Patteson.
Harbison.	Perkins.
Harper.	Savage.
Henderson.	

Absent.

Davidson of	Faubion.
Galveston.	Faust.

Hale. Stafford.
Morris.

Absent—Excused.

Douglass.

Senator Davidson of DeWitt moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 170—PASSAGE OF.

On motion of Senator Hicks, the pending order of business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 170.

The Chair laid before the Senate, on its third reading,

Senate bill No. 170, A bill to be entitled "An Act to authorize the first office assistant of the Attorney General to discharge the duties that are devolved by law upon the Attorney General in the absence or inability to act of the Attorney General."

The bill was read third time, and passed by the following vote:

Yeas—20.

Beaty.	Lipscomb.
Brachfield.	Martin.
Cain.	McKamy.
Faulk.	Mills.
Grinnan.	Patteson.
Hanger.	Paulus.
Harbison.	Savage.
Harper.	Sebastian.
Hicks.	Willacy.
Hill.	Wilson.

Nays—3.

Davidson of	Decker.
DeWitt.	Henderson.

Absent.

Davidson of	Hale.
Galveston.	Morris.
Faubion.	Perkins.
Faust.	Stafford.

Absent—Excused.

Douglass.

ADJOURNMENT.

Senator Beaty moved that the Senate adjourn until Tuesday morning at 10 o'clock.

Senator Mills moved that the Senate adjourn until Monday morning at 10 o'clock.

Action being on the longest time first, the Senate, at 5:45, adjourned until 10 o'clock Tuesday morning, March 17th.

THIRTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas, Tuesday, March 17, 1903.

Senate met pursuant to adjournment. Lieutenant Governor Geo. D. Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Harper.
Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Willacy.
Harbison.	Wilson.

Absent.

Douglass.	Stafford.
Paulus.	

ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.
W. E. DeLemar.
R. M. Gilmore.
Amos Wynne.
W. M. Cobb.
Eldred McKinnon.
Mrs. Laura V. Grinnan.
F. P. Smith.
Miss Lucy Lane.
C. H. Allen.
D. F. Hughes.
Frank Mullins.
C. J. Kirk.
Rev. I. S. Davenport.
Miss May Fant Odum.
J. C. Son.
Miss Georgia Sturgiss.
Mrs. Hattie Yarbrough.
Mrs. Hope H. Hawkins.
Miss Emily Holcomb.
Mrs. J. R. Van Orden.
Miss Bessie Goldstein.
W. T. Pace.
W. A. Shaw, Jr.
Lucien Goss.
Miss L. Stanley.
Herbert Davenport.
Charlie Lane.
Willie Gibson.
Henry Paulus.
Evetts Thornhill.
Walter Savage.
Jas. Sebastian.